

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

RICK ANDERSON,)
)
Plaintiff,)
)
v.) 1:14-cv-347-HSM-SKL
)
THE CITY OF GRAYSVILLE,)
TENNESSEE, *et al.*,)
)
Defendants.)

ORDER

Before the Court is a motion to withdraw as counsel of record for Defendant Erik Redden (“Defendant Redden”) filed by attorneys Daniel H. Rader, III and Randall A. York with the law firm of Moore, Rader, Fitzpatrick & York, P.C. [Doc. 40]. A hearing was held on the motion on August 23, 2016. Present were Attorneys Rader, York, Bryan H. Hoss for Plaintiff, Keith Grant for Defendant The City of Graysville, Tennessee, and Nathan D. Rowell for Defendants Vice Mayor Denesa Reel and Commissioners Michael May and Andy Beene. Defendant Erik Redden was not present at the hearing, although he was properly advised of the date and time of the hearing.

Attorneys Rader and York represented that throughout the pendency of the case, communications with Defendant Redden have been inconsistent and particularly difficult since his criminal conviction on May 9, 2016. Attorneys Rader and York further advised that they are no longer being compensated for their representation of Defendant. Attorneys Rader and York represented to the Court, and provided the Court with a copy of a letter dated August 3, 2016 to Defendant Redden, wherein they provided him with a copy of the motion to withdraw. Attorneys Rader and York represented to the Court that they also notified Defendant Redden of the hearing date and time. Attorneys Rader and York advised the Court that Defendant Redden is not

currently in custody and therefore could have attended the hearing on the motion to withdraw. In addition, Attorney Hoss reported that he had a direct telephone conversation with Defendant Redden who said he was representing himself and wanted to reschedule his deposition.

There was no objection to the withdrawal of Attorneys Rader and York asserted by any party. The motion to withdraw, copy of the letter which provided Defendant Redden with a copy of the motion to withdraw, and further representations by Attorneys Rader and York that they notified Defendant Redden of the date and time of the hearing and that they have complied with all of the requirements of E.D. Tenn. L.R. 83.4 for withdrawal satisfy all requirements to withdraw under E.D. Tenn. L.R. 83.4.

Accordingly, the motion to withdraw [Doc. 40] is **GRANTED**. The Clerk is **DIRECTED** to terminate attorneys Daniel H. Rader, III and Randall A. York with the law firm of Moore, Rader, Fitzpatrick & York, P.C. as counsel of record for Defendant Redden and to mail a copy of this Order to Defendant Redden at the address reflected on the Notice of Address, Telephone Number, and Email of Erik Redden [Doc. 47].

Attorneys Rader and York are **ORDERED** to send this Order to Defendant Redden by mail and email.

Defendant Redden is forewarned that he must comply with all requirements of the Court's scheduling order and local rules or risk a default judgment against him in this action.

SO ORDERED.

ENTER:

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE